



Federal Aviation Administration

Memorandum

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Memo No. PS-AIR-100-2007-12-27B

To:

See Distribution

From:

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Prepared By:

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Subject:

Enhanced Airworthiness Program for Airplane Systems (EAPAS)
Supplemental Type Certificate (STC) limitation

Revision

This memo has been revised to remove the paragraph on certification basis and include it in a separate policy memorandum, Memo No. PS-AIR-100-2009-05-27, "Adding Part 26 to Type Data Sheets and Supplemental Type Certificates", dated June 10, 2009. The contents of that policy memorandum will be included in the next available revision to FAA Order 8110.4, "Type Certification".

Background

The Enhanced Airworthiness Program for Airplane Systems (EAPAS) final rule became effective on December 10, 2007. Certain design approval holders, including certain STC applicants, will need to meet the requirements outlined in Title 14 Code of Federal Regulations (14 CFR) § 26.11. It allows an STC to be issued even though the STC applicant has not yet met these requirements. In this case a limitation should be added to the STC. This policy memorandum describes how and when this will be done.

The 14 CFR part 26 portion of the EAPAS final rule, 14 CFR § 26.11, requires certain STC applicants to evaluate whether electrical wiring interconnection system (EWIS) instructions for continued airworthiness (ICA) developed by the TC holder are adequate for their proposed modification. If the TC holder's EWIS ICA are not adequate, the STC applicant must develop and submit revised EWIS ICA to the FAA for approval. In accordance with the timeline set out by 14 CFR § 26.11, the STC applicant has until June 7, 2010, to meet these requirements. An STC can be issued prior to the applicant meeting these requirements, provided issuance is not after June 7, 2010.

Since the STC can be issued prior to meeting the applicable 14 CFR § 26.11 requirements, it has been determined that a limitation should be added to the STC when the requirements have not been met. This is not to be confused with the limitation on incomplete ICAs imposed by FAA Order 8110.54, "Instructions for Continued Airworthiness" which provides instructions to add a limitation if there is a need to issue a design approval without complete ICA coverage (reference paragraph 5-1(i)(3)). The EWIS ICA limitation statement should be separate from any other limitation statement made in accordance with 14 CFR 25.1529. In FAA Order 8110.54, the design may be approved without completed ICAs, but the first airworthiness certificate may not be issued until the ICAs are completed and approved. For the purposes of EAPAS, EWIS ICA limitation should specify that the STC applicant has until June 7, 2010 to submit revised EWIS ICA, if they need to be revised. After that date, the STC is not allowed to be installed. The EWIS ICA limitation wording is shown below.

The intent of this limitation for EAPAS would be to prevent installations after August 30, 2010, if the STC holder had not met the 14 CFR § 26.11 requirements. In addition, the limitation would provide visibility to the STC holder and the FAA that the holder still needs to provide the EWIS ICA. The August 30, 2010 date is based on the STC holder submitting the necessary compliance documentation by required June 7, 2010 date, the approval times identified in FAA Order 8110.104, and an estimated 4 weeks for the STC holder to incorporate any changes that may be required by the FAA.

Statement to be added in Limitation Section of the STC

The following statement should be added to the limitation section of the STC when the EWIS ICA evaluation has not been completed at the time of the STC issuance (provided it is issued prior to June 7, 2010). The goal of the limitation is (1) to not allow any installations after August 30, 2010, if an STC applicant has not met the 14 CFR § 26.11 EWIS requirements, and (2) to not ground any airplanes that already have the STC installed.

"This modification may not be installed after August 30, 2010 unless (1) previously approved electrical wiring interconnection system (EWIS) instructions for continued airworthiness (ICA) have been evaluated and determined to be adequate for this installation by the FAA, or (2) revised EWIS ICA have been approved by the FAA Oversight Office. (Refer to 14 CFR § 26.11)."

In order for the STC to be installed after August 30, 2010, the STC installer will need to have one of the following:

1. An FAA letter stating that the previously approved EWIS ICA have been evaluated and shown to be adequate for the modification, or
2. Revised EWIS ICA that have been approved by the FAA Oversight Office for the STC modification.

Once the STC holder has met the 14 CFR § 26.11 requirements, the STC does not need to be revised to remove the statement. However, if the STC needs to be updated/amended, the limitation may be removed at that time.

STC Cover Letter

The following wording (or similar) should be included in the FAA letter that transmits the STC:

“In accordance with 14 CFR § 26.11(c), you must evaluate whether this STC installation necessitates a revision to the ICA required by 14 CFR § 26.11(b), and if so, you must develop and submit the necessary revisions for review and approval to this office. You must also ensure that any revised EWIS ICA remain compatible with any fuel tank system ICA previously developed to comply with 14 CFR SFAR 88 and any redundant requirements between them minimized. These requirements must be met no later than June 7, 2010.

Since you have not yet shown compliance to 14 CFR § 26.11(c), a limitation has been added to the STC. The intent of this limitation is to prevent future installations of this STC modification after August 30, 2010, if you have not fully complied with 14 CFR § 26.11(c). The limitation also provides visibility and a reminder to you and the FAA of this open compliance item. Note that the limitation applies to you, the STC holder, and not to any person who may operate an airplane with this installed STC modification. Operators will be able to continue to operate airplanes with this installed STC modification, even if you have not complied with 14 CFR § 26.11(c) by June 7, 2010. The FAA will likely pursue enforcement action on you (not operators), if you do not show compliance to 14 CFR § 26.11(c) by June 7, 2010

If you have any questions regarding these requirements, please contact [ACO focal] at [phone number].”

For questions regarding the information in this memo, please contact Chris Carter at (202) 493-1278, or via email at chris.carter@faa.gov or Daniel Kutz at (425) 227-1278, or via email at daniel.kutz@faa.gov.

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